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HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 18th December, 2013

No.34617-ME-I-IM-19/2012/HFW.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Medical Education Service (Method of Recruitment and Conditions of Service) Rules, 2009 except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Medical Education Services, namely:—

1. Short title and Commencement:

(1) These rules may be called the Odisha Medical Education Service (Method of Recruitment and conditions of service) Rules, 2013.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions:

(1) In these rules, unless the context otherwise requires:—

- (i) “Board” means the Selection Board constituted under rule-7 for selection of persons for Senior Teaching Posts;
- (ii) “Commission” means the Odisha Public Service Commission;
- (iii) “DCI” means the Dental Council of India constituted under Dentists Act, 1948;
- (iv) “Ex-servicemen” means a person as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (v) “Government” means the Government of Odisha;

- (vi) "Junior Teaching Posts" means the post of Assistant Professor of different Speciality or Super Speciality;
- (vii) "MCI" means the Medical Council of India constituted under the Indian Medical Council Act. 1956;
- (viii) "Persons with Disabilities or Physically challenged persons" means a person who would be granted a disability certificate by competent authority as per the provisions under rule-4 of the persons with Disabilities (Equal Opportunities, protection of Right, and Full Participation) Odisha Rules, 2003;
- (ix) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time under Articles 341 and 342 of the Constitution of India, respectively;
- (x) "SEBC" means the Socially and Educationally Backward Classes of citizens as referred to in clause (e) of Section 2 of the Odisha Reservation of posts and services (for Socially and Educationally Backward Classes) Act, 2008;
- (xi) "Schedule" means schedule appended to these rules;
- (xii) "Service" means the Odisha Medical Education Service;
- (xiii) "Senior Teaching Posts" means the Associate Professor and Professor of Specialities and Super Specialities of the Medical Colleges and any other posts in Medical Colleges which may be so declared by the Government;
- (xiv) "Speciality" means any of the subjects of Anatomy, Anaesthesiology, Bio-Chemistry, Dentistry, Oto-Rhino-Laryngology, Forensic Medicine, Medicine, Microbiology, Obstetrics and Gynaecology, Ophthalmology, Ortho-surgery, Paediatrics, Pathology, Pharmacology, Physiology, Psychiatry, Radio-Diagnosis, Radio-Therapy, Community Medicine, Dermatology, Venerology and Leprosy, Surgery and Tuberculosis and Respiratory Diseases and includes any other subject which may be declared as a Speciality by the Government from time to time;
- (xv) "Super Speciality" means any of the subjects of Medicines or Surgery mentioned below and such other subjects as may be declared by the Government from time to time:

Medicine:

- (a) Cardiology
- (b) Clinical Haematology
- (c) Endocrinology
- (d) Gastroenterology
- (e) Hepatology
- (f) Neurology
- (g) Nephrology

Surgery:

- (a) Cardio Vascular and Thoracic Surgery
- (b) Experimental Surgery
- (c) Genito Urinary Surgery (Urology)
- (d) Neuro Surgery
- (e) Paediatric Surgery
- (f) Plastic Surgery
- (g) Surgical Gastroenterology;

(xv) "Teaching Experience" means the period of service rendered in teaching in any Speciality or Super Speciality in a medical college or teaching institution recognized by the MCI or DCI to be reckoned from the date of appointment to the junior or senior teaching post, in consultation with the Commission; and

(xvi) "Year" means a calendar year.

(2) All other words and expressions used but not specifically defined in these rules shall unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. Composition of Service:

The service shall comprise of teaching posts of Professor, Associate Professor (Group-'A' (Sr.) and Assistant Professor (Group-'A' (Jr.) service.

4. Eligibility criteria for direct recruitment of Assistant Professor:

(1) Selection to the post of Assistant Professor shall be made by way of direct recruitment through the Commission, from amongst the Candidate having P.G. Degree in the concerned speciality with three years experience as Tutor or Sr. Resident from any Medical Institution recognized by the MCI:

Provided that the selection may also be made from amongst the Assistant Professors, in any other Speciality or Super Speciality subject, having requisite qualification in the concerned speciality subject to the condition that seniority in the Speciality or Super Speciality, as the case may be, shall be determined from the date of appointment in the new discipline in accordance with the placement given by the Commission and accepted by the Government:

Provided further that in case of non-availability of MS or MD candidates M.Sc. qualified candidates as prescribed by the MCI will be appointed in the Department of Anatomy, Physiology, Pharmacology and Microbiology to the extent of 30% and in the Department Bio-Chemistry to the extent of 50% of the total number of posts.

(2) (a) MBBS Degree holders possessing Diplomate National Board degree from a Medical College recognized by the MCI or Central Institute along with three years of teaching experience in the subject from a recognized Medical College after obtaining the Diplomate National Board degree or candidates possessing Diplomate National Board degree from institutions other than Medical Colleges recognized by the MCI or Central Institute along with five years of teaching experience in the subject from a recognized Medical College after obtaining the said degree shall also be eligible.

(b) In respect of Super Specialty subject, selection shall be made from amongst the candidates having PG degree in the same discipline with M.Ch. or DM qualification:

Provided that,—(a) in Surgical Gastroenterology—M.Ch. (Surgical Gastroenterology) or M.S. (Surgery) with 2 years Special Training in Surgical Gastroenterology in the Institute recognized by the MCI; and

(b) Clinical Haematology – D.M. (Clinical Haematology), M.D. (Medicine) , M.D. (Paediatric) or M.D. (Pathology) with 2 years Special Training in Clinical Haematology in the Institute recognized by the MCI shall also be eligible.

(c) Where the M.Ch. or DM is of two years duration or of five years recognized course after MBBS, one year teaching and, or research experience in a recognized institution in the subject of specialty after obtaining the qualifying degree of DM or M.Ch. shall be required.

(3) (a) The suitability of candidates shall be adjudged by the Commission on the basis of career marking and written test. Weightage of 30% will be given to career marking and 70% to written test.

(b) Career marking will be in the following manner:

Marks secured in 10th Class examination	- 10%
Marks secured in 12th Class examination	- 10%
Marks secured in MBBS examination	- 10%

(c) (i) Total marks in written test- 200.

(ii) The total number of question is 200, which will be of multiple choice questions (MCQ) pattern.

(iii) No negative marking for wrong answers.

(iv) Qualifying marks-50% for UR and SEBC, 45% for PWD and 40% for SC and ST in aggregate taking together both career and written test mark.

(v) Duration of examination: – 3 hours.

(vi) Syllabus.—

(1) MCI approved PG Syllabus for Speciality Discipline.

(2) MCI approved DM or M.Ch. syllabus for Super Specialty Discipline.

(3) MDS syllabus of DCI for different Dental Discipline.

(4) M.Sc. Syllabus of Utkal University for M.Sc. qualified candidates.

(vii) Age limit.- A candidate must have attained the age of 21 years and below 45 years as on the 1st day of January in which the applications are invited by the Commission:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule-6 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories:

Provided further that the upper age limit up to 5 years shall be relaxed in case of in-service doctors serving on *ad hoc* basis or contractual basis under the Government or Government under takings, as the case may be.

(d) Commission shall prepare a list of candidates in order of merit on the basis of career marking and written test which shall be equal to the number of advertised vacancies:

Provided that, if two or more candidates secure equal marks then the candidate securing higher marks in MBBS examination shall find place above the others in the merit list. In case marks obtained in MBBS examination is also the same, the candidate older in age shall be placed above the younger.

(e) The list recommended by the Commission shall remain valid for a period of one year from the date of its approval by the Government.

5. Duties of Assistant Professor:

The Assistant Professors shall perform such duties as specified in the Schedule - A appended to these rules and any other duties as may be specified by the Government from time to time, by General or Special order.

6. Reservation:

Notwithstanding anything contained in these rules reservations of vacancies or posts, as the case may be, for –

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for SC and ST) Act, 1975 and the rules made thereunder; and

(b) SEBC, Women, Sports Persons, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, Orders or Instructions issued in this respect by the Government from time to time.

7. Constitution of Selection Board:

(1) There shall be constituted a Board by the Government to select persons for appointment to the Senior Teaching Posts, with the following members, namely:—

- | | | |
|---|-----|----------|
| (a) Chief Secretary / Additional Chief Secretary | ... | Chairman |
| (b) Secretary, Health & Family Welfare Department | ... | Member |
| (c) Director, Medical Education and Training, Odisha | ... | Member |
| (d) Senior most Principal of Medical Colleges | ... | Member |
| (e) The Selection Board may co-opt a member for any particular selection, if it so considers necessary. | | |

(2) The recommendation of the Board shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

8. Eligibility for Selection of Associate Professor:

(1) Appointment to the posts of Associate Professor in the service shall be made by way of selection on the basis of merit and suitability in all respect with due regard to seniority from amongst the Assistant Professors.

(2) An Assistant Professor for being eligible for consideration by the Board to the post of Associate Professor must have,—

- (i) Acquired teaching experience of at least four years as Assistant Professor or eight years of total teaching experience as Assistant Professor and Lecturer taken together in the respective speciality serving in a recognized medical college;
- (ii) minimum of two number of research publications indexed in Index Medicus or National Journals.
- (iii) possessed the Ph.D Degree in the concerned subject in case of non-medical teachers.

(3) While making selection to the post of Associate Professor, the following criteria shall be taken into consideration by the Board, namely:—

- (a) Efficiency in teaching.
- (b) Performance during the period of service taken for consideration for promotion.

9. Eligibility for Selection of Professor:

(1) Appointment to the posts of Professor in the service shall be made by way of selection on the basis of merit and suitability in all respect with due regard to seniority from amongst the Associate Professors.

(2) An Associate Professor for being eligible for consideration by the Board to the post of Professor must have, —

- (i) acquired teaching experience of at least three years as Associate Professor or fifteen years of total teaching experience as Associate Professor, Assistant Professor and Lecturer taken together in the respective specialty, as the case may be;
- (ii) minimum of four number of research publications indexed in Index Medicus or National Journals must be published during the tenure of Associate Professor.

(3) While making selection to the post of Professor, the following criteria shall be taken into consideration by the Board, namely:—

- (a) Efficiency in teaching
- (b) Performance during the period of service taken for consideration for promotion.

10. Duties of Associate Professors and Professors:

The Associate Professors and Professors shall perform such duties as specified in the Schedule-B appended to these rules and any other duties as may be specified by the Government from time to time, by General or Special order.

11. Validity of recommendation:

The recommendation of the Board shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the committee and the majority of members of the committee attended the meeting.

12. Consultation with the Commission:

(1) The recommendation of the Board shall be referred to the Commission for concurrence along with a list of all eligible teachers, including those who have not been recommended but considered together, with the service particulars relating to their academic qualification, teaching experience, research and field experience, if any.

(2) The Commission shall consider the list along with the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government.

13. Select List:

(1) The recommendation of the Commission shall be considered by Government and the list so approved by the Government shall form the final select list.

(2) The select list shall ordinarily be in force for a period of one year from the date of its approval by the Government.

(3) Appointment to the post in the service shall be in the order in which their names appear in the select list.

14. *Inter-se-seniority*:

Inter-se-seniority of the persons appointed to different posts in the service in a particular year shall be in the order in which their names appear in the select list or merit list as the case may be.

15. Gradation List:

Separate gradation list of Assistant Professors, Associate Professors and Professors shall be prepared and maintained in respect of each Speciality or Super Speciality duly reflecting the seniority determined in accordance with these rules.

16. Relaxation:

When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employee in consultation with the Commission.

17. Interpretation:

If any question arises relating to the interpretation of these rules or any provision thereof, it shall be referred to the Government in Health & Family Welfare Department for decision.

By Order of the Governor

P. K. MOHAPATRA
Principal Secretary to Government

Schedule-A

(See Rule-5)

The Assistant Professors are required to perform the following duties as may be assigned to them by the Head of Departments or Units as the case may be.

1. Bed side Teaching, Tutorial Teaching, didactic Teaching including teaching in practical, Demonstration, Theory Teaching and Field Teaching where necessary.
2. Maintain attendance registers of the students and their progress records.
3. Duties connected with conducting the examination of the students.
4. Laboratory and Demonstration work.
5. Examination of Samples and imaging etc.
6. Involvement in Research activities and taking part in the Seminar.
7. Take care of the patients in the wards, Operation Theatre and Labour room etc.
8. Accompany Head of the Unit and Department in his ward round.
9. Carry out of the instructions of the senior teachers, Head of the Unit or Department with regard to investigation and treatment of patients and administration of anaesthesia etc.
10. Maintain records of the patients in the wards and of their discharge or death. In case of birth and death he will report to Record-Room for onward transmission to the Municipality.
11. Follow up necessary compilation of the records in the Record-Room. In Medicological cases they are to process the records for the Court or Police as the case may be.
12. On the allotted days carry out treatment of the cut patients and take up admission of patients to the indoor as per guidance of the Senior Teacher or Head of the Unit.
13. Perform emergency duties in the wards, Causality or Operation theatre, as the case may be remaining in the place of duty physically.
14. While on duty they may look to the general condition of the ward, supervise the work of the staff on duty and report to the Head of Department or Unit in case he considers necessary.

15. During the emergency duty they are to attend the patients and take care of their treatment and if necessary requisition the necessary services of Senior Teacher or Head of the Unit as required.
16. Remain in charge of the Museum and be responsible for preservation of specimen etc.
17. Remain in charge of the stock and store of the unit or Department if required by Head of the Department or Unit.
18. Perform Medicological work.
19. Attend Courts on receipts of summons as and when necessary.
20. Attend to extra curricular responsibilities (Hostel, Library, Athletics, Academic Societies, and N.S.S. etc.) as will be assigned by the Head of the Institution.
21. Perform any other work in the interest of the Institution and Public duty as will be assigned by the Head of the Institution Department or Unit from time to time.

Schedule-B

(See Rule-10)

The Professor and Associate Professor are required to perform the following duties as may be assigned to them by the Head of Departments or Units as the case may be.

A. Administration:

1. Will be responsible for over all administrative cause of action of the Department or Unit allowed to him in respect of teaching and non-teaching staff.
2. Will remain in charge of Library, Sports, Cultural, Academic, Stores and Purchases etc. as and when will be assigned to him or her by the authorities from time to time.
3. Will help the local authorities and Government in disbursement of health care or any other matter as deemed fit from time to time.
4. Will keep and provide vital Statistics information of his or her Department or Unit to the authorities at the time of need.
5. Shall write the performance appraisal letter of juniors attached to his or her Department or Units in open mind and without prejudice. (in case of HOD)
6. He or She will be directly responsible to the Principal (for teaching) and Superintendent (for treatment).

B. Clinical:

1. Will be overall responsible for the patients in indoor and outdoor for their smooth management.
2. Will undertake the timely round of the wards and unit daily and maintain the procedure records and O.T.
3. Will authorize the junior from time to time for discharging patients care in his or he Department or Units.

4. Will remain responsible for patient admission, Treatment, procedures performed in his or her Department or Units.
5. Will attend emergency calls when needed.

C. Teaching:

1. Will remain responsible for all the teaching activities of U.G. and P.G. in respect of theory, practical and clinical etc.
2. Will maintain the attendance of the students in all such classes and delegate such classes to junior faculties and residents where ever needed.
3. Will maintain the academic calendar, teaching scheduled of P.G. and U.G. students.
4. Will conduct Special Seminar, Conference etc. for up gradation of knowledge & skill of Junior faculties, Residents and Tutors of the Department or Unit.
5. Will be the guide of P.G. Students and other Research scholars for their thesis work.
6. Will conduct the examination of the P.G. and U.G. students of the Department as well as arrange the examination to be conducted.